



To the Honorable Council
City of Norfolk, Virginia

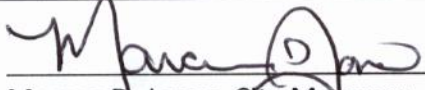
November 17, 2015

From: David L. Ricks, Director of Public Works

Subject: Consent to Allow the United States Environmental Protection Agency to Enter Certain City-owned Property

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved: 
Marcus D. Jones, City Manager

Item Number:

R-1

- I. **Recommendation:** Adopt ordinance.
- II. **Applicant:** City of Norfolk
- III. **Description:**
This agenda item is an ordinance authorizing the City Manager to execute a Consent to Enter Property or other such agreement on behalf of the City of Norfolk ("City"). The agreement will allow the United States Environmental Protection Agency ("EPA") entry onto the Harbor Park property for the purpose of conducting a Targeted Brownfields Assessment ("TBA").
- IV. **Analysis:**
 - The City of Norfolk has been awarded a TBA technical assistance grant for the Harbor Park area by the EPA.
 - Included in the technical work to be undertaken by EPA at the Harbor Park site is completion of Phase 1 and Phase 2 Environmental Site Assessments, which may include collection of surface water, groundwater, surface soil, subsurface soil, air and other samples.
- V. **Financial Impact:**
There will be no financial impact on the department's budget.
- VI. **Environmental:**
There will be a positive environmental impact resulting from this project. The goal of the EPA's TBA program is to restore and revitalize underutilized properties.

VII. Community Outreach/Notification:

Public notification for this agenda item was conducted through the City's agenda notification process.

VIII. Board/Commission Action:

N/A

IX. Coordination/Outreach:

This letter has been coordinated with the Department of Public Works, the Department of Development and the City Attorney's Office.

Supporting Material from the City Attorney's Office:

- Ordinance
- Exhibit A (spreadsheet and accompanying map)

Form and Correctness Approved:

By Nataniel Saman
Office of the City Attorney

Contents Approved:

By [Signature]
DEPT. Public Works

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE APPROVING THE ENTRY BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, THE COMMONWEALTH OF VIRGINIA, AND THEIR EMPLOYEES, AGENTS, CONTRACTORS AND AUTHORIZED REPRESENTATIVES UPON CERTAIN CITY OWNED PROPERTY LOCATED AT HARBOR PARK AND VARIOUS OTHER LOCATIONS WITHIN THE CITY FOR THE PURPOSE OF COLLECTING SURFACE WATER, GROUNDWATER, SURFACE SOIL, SUBSURFACE SOIL, AIR AND OTHER SAMPLES IN CONNECTION WITH THE ENVIRONMENTAL PROTECTION AGENCY'S PERFORMANCE OF A TARGETED BROWNFIELDS SITE ASSESSMENT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the entry by the United States Environmental Protection Agency ("EPA"), the Commonwealth of Virginia ("State"), and their respective employees, agents, contractors and authorized representatives (collectively "Responders") upon certain City owned property located at Harbor Park and various other locations within the City of Norfolk, all of which are designated in Exhibit A attached hereto, for the purpose of collecting surface water, groundwater, surface soil, subsurface soil, air and other samples at the various properties designated in connection with the EPA's performance of a Targeted Brownfields Site Assessment, as authorized by Section 104(k) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(k) is hereby approved.

Section 2:- That the entry upon the designated City parcels by the Responders shall be in accordance with such terms and conditions as shall be satisfactory to the City Attorney and in the best interests of the City.

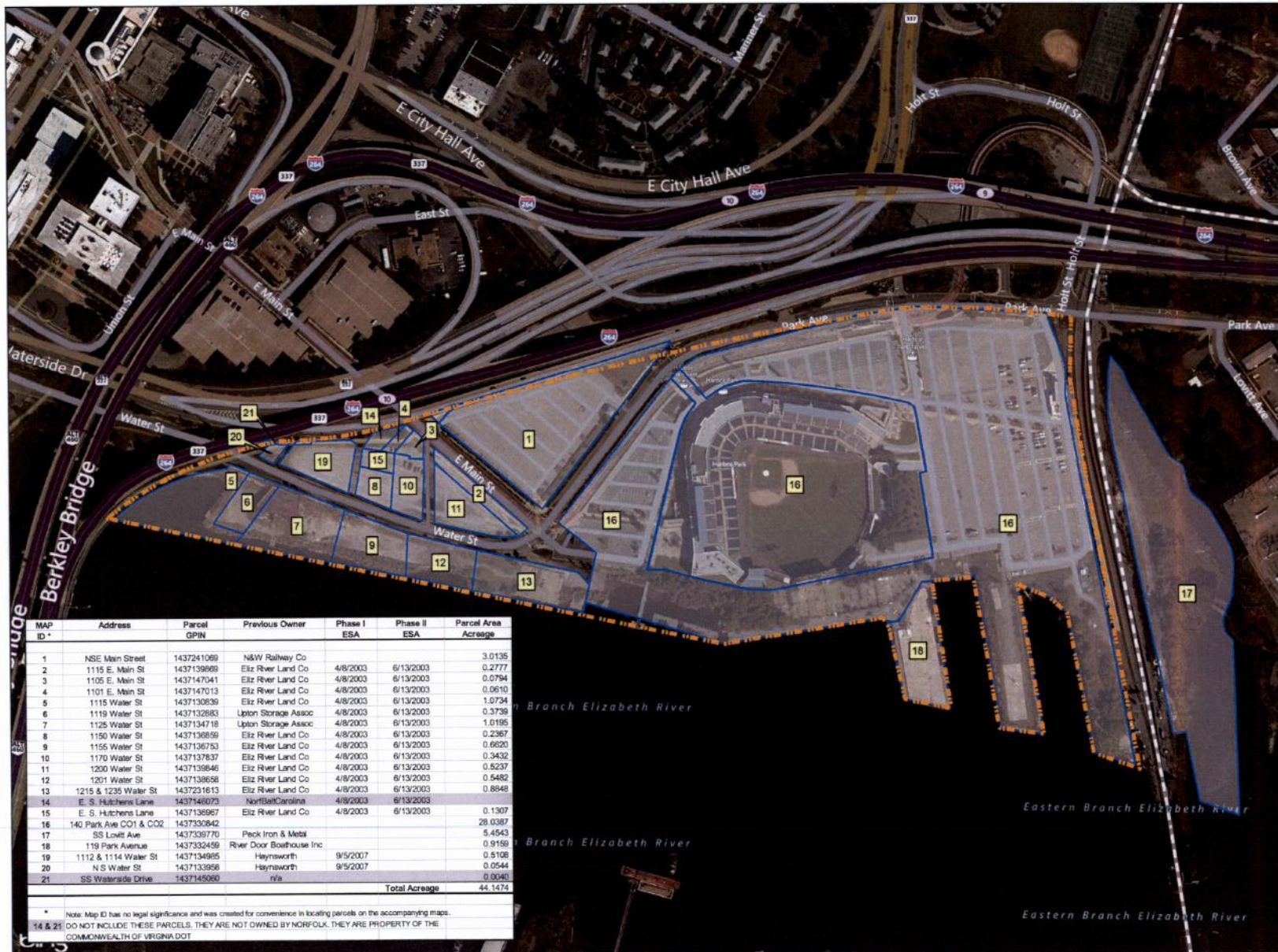
Section 3:- That the City Manager, and other proper officers of the City, are authorized to execute a Consent to Enter Property or such other agreement on behalf of the City.

Section 4:- That the City Manager is further authorized to correct, amend or revise the Consent to Enter Property or any such other agreement as he may deem necessary in order to carry out the purposes stated herein.

Section 5:- That this ordinance shall be in effect from and after the date of its adoption.

EXHIBIT A TO ORDINANCE

[illegible]



Imagery: ESRI, Bing Mapping Service, 2014

Coordinate System: WGS84 UTM Zone 18N Feet

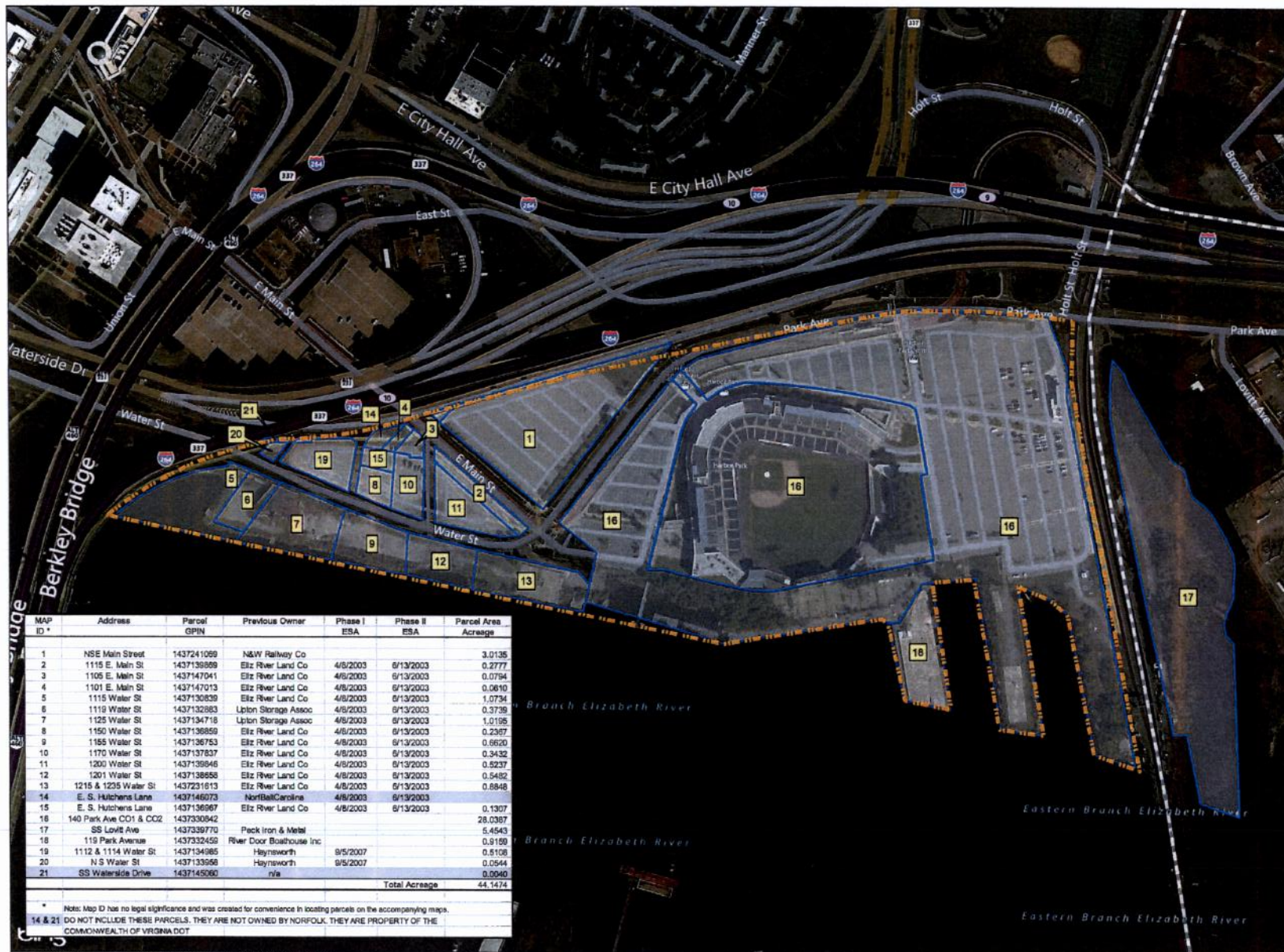
0 275 Feet

Harbor Park Site
Norfolk, Va

Figure 1
Parcel Boundaries

TDD#: W504-15-09-001
Contract: EP-S3-15-02
Prepared: 10/23/2015

WESTON
COLLECTIONS



Legend

- Site Boundary
- Parcel Boundary

Imagery: ESRI, Bing Mapping Service, 2014

Coordinate System:
WGS84 UTM Zone 18N Feet

0 275
Feet

Harbor Park Site
Norfolk, Va

Figure 1
Parcel Boundaries

TDD#: W504-15-09-001
Contract: EP-53-15-02
Prepared: 10/23/2015

